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16 The Homestore.com, Inc.,  
17 The National Association of Realtors, and  
18 The National Association of Home Builders of the  
19 United States

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24 UNITED STATES DISTRICT COURT  
25 NORTHERN DISTRICT OF CALIFORNIA  
26 SAN FRANCISCO DIVISION

27 KEVIN L. KEITHLEY, et al.,

28 Case No. C 03-04447 SI

Plaintiffs,

DEFENDANTS' ADMINISTRATIVE  
MOTION FOR FILING UNDER  
SEAL

vs.

SUPPORTING DECLARATION OF  
JENNIFER L. SHODA

THE HOMESTORE.COM, INC., et al.,

[PROPOSED] ORDER

Defendants.

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28 ADMINISTRATIVE MOTION FOR FILING UNDER SEAL

1. Papers Submitted For Filing Under Seal in Their Entireties

Pursuant to Civil Local Rules 7-11 and 79-5(b), Defendants Homestore, Inc., the National Association of Realtors and the National Association of Home Builders of the United States hereby request leave of Court to file under seal in its entirety the following documents being

1 lodged with the Clerk:

- 2 • Exhibit 13 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
3 National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
- 4
- 5 • Exhibit 14 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
- 6
- 7 • Exhibit 15 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
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- 9 • Exhibit 16 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
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- 11 • Exhibit 17 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
- 12
- 13 • Exhibit 18 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
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- 15 • Exhibit 19 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
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- 17 • Exhibit 20 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
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- 19 • Exhibit 21 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
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- 21 • Exhibit 22 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
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- 23 • Exhibit 23 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
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- 25 • Exhibit 24 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
National Association of Realtors' and The National Association of Home Builders of  
the United States' Motion For Summary Judgment
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- 1           • Exhibit 25 to the Declaration of Jennifer L. Shoda in Support of Defendants The  
2           National Association of Realtors' and The National Association of Home Builders of  
3           the United States' Motion For Summary Judgment

4           Defendants have marked the documents contained in these exhibits as Highly Confidential –  
5           Attorneys' Eyes Only by Defendants, and said exhibits contain highly sensitive, confidential business  
6           information.

7           The exhibits have been designated as Confidential – Attorney's Eyes Only by Defendants.

8           **2. Motion Submitted for Partial Filing Under Seal**

9           Defendants assert that portions of their Memorandum of Points and Authorities In Support of  
10          Defendants The National Association of Realtors' and The National Association of Home Builders of  
11          The United States' Motion For Summary Judgment (filed under seal) contains sensitive, confidential  
12          financial information. Accordingly, Defendants respectfully request leave of Court to file under seal  
13          Memorandum of Points and Authorities In Support of Defendants The National Association of  
14          Realtors' and The National Association of Home Builders of The United States' Motion For  
15          Summary Judgment.

**SUPPORTING DECLARATION OF JENNIFER L. SHODA**

I, Jennifer L. Shoda, declare as follows:

1. I am an attorney at law licensed to practice before all of the courts of the State of California. I am an attorney in the law firm of Snyder, Miller & Orton, counsel for defendants Homestore, Inc., The National Association of Realtors, and The National Association of Home Builders of the United States (collectively “Defendants”). I have knowledge of all of the following facts and, if called as a witness, could and would competently testify thereto.

2. The representations made above in this Administrative Motion are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 3, 2008, at San Francisco, California.

Jennifer L. Shoda

## [PROPOSED] ORDER

Upon good cause shown, IT IS HEREBY ORDERED that DEFENDANTS' MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANTS THE NATIONAL ASSOCIATION OF REALTORS' AND THE NATIONAL ASSOCIATION OF HOME BUILDERS OF THE UNITED STATES' MOTION FOR SUMMARY JUDGMENT and EXHIBITS 13 THROUGH 25 TO THE DECLARATION OF JENNIFER L. SHODA IN SUPPORT OF DEFENDANTS THE NATIONAL ASSOCIATION OF REALTORS' AND THE NATIONAL ASSOCIATION OF HOME BUILDERS OF THE UNITED STATES' MOTION FOR SUMMARY JUDGMENT be filed under seal by the Clerk.

## **IT IS SO ORDERED.**

Dated:

Susan Mlotek

**Susan Illston**  
**United States District Judge**